

REMARKS

Claim Rejection – 35 U.S.C. §102

Claims 1-6 have been rejected under 35 U.S.C. §102(e) as being anticipated by Shimoosawa, U.S. Patent No. 6,658,456. The rejection is respectfully traversed.

The present invention discloses a method and a computer for establishing a connection between a first and second subscriber of a telecommunications network. Hence, the address (e.g. telephone number) assigned the second subscriber in the telecommunications network is inserted into an object, which is created for use on a computer. This object is transferred to the first subscriber and stored on his/her computer. The address assigned to the second subscriber and stored in the object can be read out with the help of a function which can be activated by the first subscriber. The connection between the first and second subscriber is established with the help of the address, which is added as an attribute to the content of the object.

Of significance in the invention, a connection between the first and second subscriber can be set up automatically. The second subscriber can be, for example, the author of the object (e.g. a document sent by email, etc.). The address (e.g. telephone number) is inserted as an attribute in the object. This object is then transferred to the first subscriber, for example via email, via data-media or via download from the Internet, and it may be stored on the computer of the first subscriber. In the event the first subscriber wishes to establish a connection to the second subscriber, he/she activates a function which reads out the address for the attribute in the object. The address is then used to establish automatically the connection- typically real-time connections such as voice or multimedia.

Shimoosawa discloses an electric mail transferring apparatus and method, which is capable of effectively transferring the electric mail in accordance with the performance and environment of an apparatus used in a transfer destination. Hence, a facsimile apparatus equipped with an email apparatus is used, which allows for the set up of calls. The email apparatus can be used to send and to receive email. In the event an email is received, the header is analyzed and the sender ID obtained thereby. The sender ID is then used to find transfer determination information. It is then determined whether an appended file must be deleted from the email. The deleted file can be decoded and stored, and transferred to the transfer destination found in the transfer determination information (see, for example, col. 7, ln. 5 – col. 9, ln. 50).

The applied reference, however, fails to disclose a connection between two subscribers which is triggered by an attribute inserted into an object, as required by the claimed invention. Rather, Shimoosawa discloses a method in which a received email is analyzed for a sender ID. Corresponding to this sender ID, a transfer destination information (e.g. telephone number, email address, etc) is defined and additionally checked to determine whether a file is appended in the email. In the event a file is appended, it may be deleted from the email and stored, etc. Then a transferring mail which includes the received email, form which the appended file was deleted, and into which information about the deleted files was inserted, is generated. This mail is then transferred to a designated destination.

In Response to Arguments, beginning on page 4 of the Office Action, the Examiner effectively argues that Applicant's invention should be broadly construed and therefore is anticipated by the prior art. Specifically, the Examiner notes that "the connection as currently recited in the claims doesn't specify whether there is [a] direct and real-time connection between the recited subscribers. Thus it is noted that the features upon which applicant relies (i.e., real time or direct connection between subscribers) are not recited in the rejection claim(s)." The Examiner appears to have misunderstood Applicant's arguments. While Applicant has indeed stated that the address is used to establish automatically a connection- typically real-time connections such as voice or multimedia, this statement details a result (and benefit) of Applicants invention, it is not necessarily being relied upon as a claim limitation. For clarification, Applicant's submit that the following limitations of the claimed invention are not disclosed by the applied reference.

1. Inserting an Address Assigned to the Second Subscriber in the Telecommunications Network Into the Object

In the claimed invention, an address assigned to the second subscriber is inserted into the object. The Examiner contends that this limitation is disclosed in the references since an "e-mail address is required in order to compose emails" (citing, col. 4, lns. 57-65). Applicant's respectfully disagree. In the context of the invention, the skilled artisan clearly understands the term "object." As an example, referring for example to Fig. 1 and the related description, an object is of a type x, which may consist of text and include attributes suitable for setting up a connection. There is no such "object" in the applied reference. Rather, the reference discloses

an email created by a user which includes an address (the header portion of the email) which defines where the email is to be send. That is, the address is part of the email, not assigned to an object (see, col. 4, lns. 57-49). The address is therefore not inserted into the object, as required by the claimed invention.

2. Reading (Determining) Out...the Address Assigned to the Second subscriber...From the Object

Even assuming *aguendo* that the an address is assigned to an object, the address assigned to the second subscriber is not read out from the object, as required by the claimed invention. The Examiner cites col. 10, lns. 3-4 as reading a “received e-mail is activated or read.” Applicants respectfully disagree. While the e-mail (i.e. contents of the message) may be read, the address assigned to the object is not being read/determined.

3. Establishing the Connection Between First and Second Subscribers

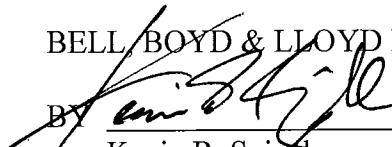
The address assigned to the second subscriber is then used to establish a connection between the first and second subscribers. The Examiner contents that col. 5, lns. 20-44 of the applied reference discloses this feature. Applicants respectfully disagree. The address assigned to the second subscriber is not added as an attributed to the content of the object. At best, an address is located in a column of a transfer management table in the applied reference.

In summary, Shimoosawa discloses an email receiving nit that periodically accesses an email server. Upon reception of an email, a header portion of the email is analyzed by obtaining a send email address. A transfer management table stored locally with the facsimile apparatus is checked to determine whether the email needs to be transferred to another address which may need conversion in to a different forma (see, Fig. 4). In the claimed invention, on the other hand, an object is conveyed in which the object comprises an address of the second subscriber to be utilized for establishing a connection from the receiving instance (first subscriber) to the second subscriber. There is no look-up table (transfer management table) required. Moreover, the invention is directed toward establishment of a connection, whereas the applied reference is directed toward forwarding (transferring) data packets.

In view of the above, Applicants submit that this application is in condition for allowance. An indication of the same is solicited. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing, referencing Attorney Docket No. 118744-169.

Respectfully submitted,

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